



General Assembly

February Session, 2008

Raised Bill No. 5924

LCO No. 3269

03269_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT ESTABLISHING A SENTENCING COMMISSION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2008*) (a) There is established a
2 Connecticut Sentencing Commission to review on an ongoing basis
3 criminal justice and sentencing policies and laws of this state for the
4 purpose of creating a more just, effective and efficient system of
5 criminal sentencing.
- 6 (b) The commission shall be composed of the following members:
- 7 (1) The chairpersons and ranking members of the joint standing
8 committee of the General Assembly on the judiciary;
- 9 (2) The Chief State's Attorney or the Chief State's Attorney's
10 designee;
- 11 (3) The Chief Public Defender or the Chief Public Defender's
12 designee;
- 13 (4) The Commissioner of Correction or the commissioner's designee;

14 (5) The Chairperson of the Board of Pardons and Paroles or the
15 chairperson's designee;

16 (6) The Commissioner of Mental Health and Addiction Services or
17 the commissioner's designee;

18 (7) The Victim Advocate or the Victim Advocate's designee;

19 (8) The director of parole and community services of the
20 Department of Correction;

21 (9) The executive director of the Court Support Services Division of
22 the Judicial Branch or the executive director's designee;

23 (10) The undersecretary of the Criminal Justice Policy and Planning
24 Division within the Office of Policy and Management;

25 (11) An assistant attorney general, appointed by the Attorney
26 General;

27 (12) Two judges of the Superior Court, each of whom shall have
28 been a judge for at least ten years and have at least five years
29 experience presiding over cases in judicial district criminal courts,
30 appointed by the Chief Court Administrator;

31 (13) Two state's attorneys each of whom shall have at least ten years
32 experience as a prosecuting attorney and at least five years experience
33 prosecuting cases in judicial district criminal courts, appointed by the
34 Chief State's Attorney;

35 (14) Two public defenders each of whom shall have at least ten
36 years experience as a public defender and at least five years experience
37 representing defendants in judicial district criminal courts, appointed
38 by the Chief Public Defender;

39 (15) Two criminal defense lawyers each of whom shall have at least
40 fifteen years experience representing defendants in criminal cases, one
41 of whom shall be appointed by the criminal justice section of the

42 Connecticut Bar Association and one of whom shall be appointed by
43 the Connecticut Criminal Defense Lawyers Association;

44 (16) A representative of Connecticut Sexual Assault Crisis Services,
45 Inc.;

46 (17) Three municipal police chiefs, one of whom shall represent an
47 urban area, one of whom shall represent a suburban area and one of
48 whom shall represent a rural area, appointed by the Connecticut Police
49 Chiefs Association; and

50 (18) Six members of the General Assembly, appointed one each by
51 the president pro tempore of the Senate, the speaker of the House of
52 Representatives, the majority leader of the Senate, the majority leader
53 of the House of Representatives, the minority leader of the Senate and
54 the minority leader of the House of Representatives.

55 (c) The commission shall select a chairperson from among its
56 members.

57 (d) The commission shall:

58 (1) Identify overarching criminal justice and sentencing goals and
59 policies;

60 (2) Define current sentencing models including sentencing
61 guidelines, criteria, exemptions and enhancements;

62 (3) Analyze sentencing trends by offense types and offender
63 characteristics;

64 (4) Review the actual versus intended impact of sentencing policies;

65 (5) Determine the direct and indirect costs associated with
66 sentencing policies;

67 (6) Review the fines and terms of imprisonment specified for
68 violations of criminal statutes that are classified or unclassified felonies

69 or misdemeanors and make recommendations including, but not
 70 limited to: (A) Whether crimes that are currently unclassified should
 71 be classified; (B) whether certain classified crimes should be
 72 reclassified or the penalties for certain unclassified crimes should be
 73 revised in order to make the penalties for similar crimes more uniform;
 74 (C) whether the penalty or type of penalty for certain crimes should be
 75 revised or eliminated where such penalty or type of penalty is no
 76 longer deemed necessary or appropriate or is disproportionate to the
 77 severity of the crime; and (D) whether crimes that are obsolete should
 78 be repealed; and

79 (7) Make any recommendations for the revision of criminal justice
 80 and sentencing policies as deemed necessary.

81 (e) The Criminal Justice Policy and Planning Division within the
 82 Office of Policy and Management shall assist the commission by
 83 providing criminal justice data, analyses and technical assistance
 84 necessary for the commission to carry out its duties.

85 (f) The commission may request any office, department, board,
 86 commission or other agency of the state to supply such reports,
 87 information and assistance as may be necessary or appropriate in
 88 order for the commission to carry out its duties. Each officer or
 89 employee of such office, department, board, commission or other
 90 agency of the state is authorized and directed to cooperate with the
 91 commission and to furnish such reports, information and assistance.

92 (g) Not later than January fifteenth in each year, the commission
 93 shall submit an annual report, including any recommendations for
 94 legislation, to the joint standing committee of the General Assembly on
 95 judiciary in accordance with section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	New section

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Statement of Purpose:

To establish a permanent sentencing commission to review on an ongoing basis criminal justice and sentencing policies and laws of this state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]